PINHEIRO, NUNES, ARNAUD & SCATAMBURLO S/C

INTELLECTUAL PROPERTY

MAURÍCIO TIBAU ARNAUD (1918-1986)
EMÍLIO SCATAMBURLO (1943-1992)

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BY FAX
Confirmation copy by mail

Messrs.

EUROPEAN PATENT OFFICE
International Preliminary Examination Authority
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NETHERLANDS
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Re: International Application Number: PCT/BR2004/000167
Applicant: BRASILATA S.A.EMBALAGENS METÁLICAS
Title: "Can for bulk products"

Dear Sirs,

In response to the Written Opinion of the International Searching Authority issued on December 21, 2004, regarding the above-referenced patent application, we are attaching a new claim set in which independent claim 1 was amended in order to include the preamble of original claim 12, which we understand differentiates the present solution from that of document US3240383, cited by the Examiner. Claim 6 was subdivided into amended claim 6 and a new claim 7 presenting the constructive characteristics of the lid (20) related to the provision of an external peripheral flange (23). The remaining claims were renumbered.

US'383 solution presents a can construction provided with a first upper wall (collar 31) provided with an inclined portion defined between an internal and an external edge, said first upper wall being disposed internally to the can and inferiorly to a second upper wall (14), which is double-seamed to an upper edge of a lateral wall of the can. In said construction the first wall (31) is not double-seamed to the lateral wall of the can and has a vertical cylindrical side wall (32) presenting a diameter to fit inside the can body with a friction fit (col. 4 lines 19-23). The inclination of said first upper wall is defined in order that the side wall (32) is kept deeper than the second upper wall (14), so that said first upper wall is not severed when the second upper wall is cut (col. 4, lines 23-30) for the opening of the can.

Brasilata's solution presents a can construction in which its annular upper wall (12) presents an external edge (12a) double seamed to an upper edge (11a) of the peripheral lateral wall (11) of the tubular body (10) of the can, said upper wall presenting a inclined portion between its internal and external edges as defined in original claim 1.

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Considering the above, we understand that the US'383 solution does not anticipate the present Brasilata's solution.

We hereby bring three copies of claim set pages 12 to 14 containing a new claim set amended accordingly. In order to facilitate the observation of the amendments, a further copy of said pages 12 to 15 is being attached where underscores indicate insertions and [bold in brackets] indicate deletions.

Respectfully submitted,

Antonio M. P. Arnaud.

AMPA/vk

CLAIMS

1. A can for bulk products, comprising: a tubular body (10) in metallic sheet, having at least one peripheral lateral wall (11) and one annular upper wall (12) presenting an external edge (12a) affixed to the peripheral lateral wall (11), an internal face (12b) turned to the interior of the tubular body (10) and an internal edge (12c) defining an opening (13); said can presenting the external edge (12a) of its annular upper wall (12) double seamed to an upper edge (11a) of the peripheral lateral wall (11) of the tubular body (10) and a lid (20) to be removably fitted and retained in the opening (13) of the can, in order to close it, characterized in that the annular upper wall (12) has any point of its internal face (12b) disposed at a height, measured in the interior of the tubular body (10), at minimum equal to the height of another point of said internal face (12b) disposed in a radially external manner, aligned and adjacent in relation to said point.

2. The can as set forth in claim 1, characterized in that the points of the internal face (12b) of the annular upper wall (12), disposed according to the same circumferential alignment concentric to the axis of the tubular body (10), are contained in a plane orthogonal to said axis.

3. The can as set forth in claim 2, characterized in that, along at least one portion of the radial extension of the annular upper wall (12), the internal face (12b) of the latter presents a height which progressively and continuously increases toward the opening (13).

4. The can as set forth in claim 3, characterized in that the internal face (12b) of the annular upper wall (12) presents the external radial extension portion

(12d), adjacent to the peripheral lateral wall (11) of the tubular body (10), disposed in a plane orthogonal to the axis of the tubular body (10).

5. The can as set forth in claim 3, characterized in that the internal face (12b) of the annular upper wall (12) presents an internal radial extension portion (12e) adjacent to the opening (13) disposed in a plane orthogonal to the axis of the tubular body (10).

6. The can as set forth in claim 1, characterized in that the internal edge (12c) of the annular upper wall (12) is upwardly and radially outwardly bent, in order to form a circumferential rib (15) with the cross section defined by at least one portion of an arc of a circle with the center in a plane (P) orthogonal to the axis of the tubular body (10) and medianly sectioned by said plane (P), said lid (20) having a peripheral lateral wall (21) externally provided with a circumferential cradle (22) presenting a cross section in the form of an arc of a circle and within which is fitted the portion in the form of an arc of a circle the circumferential rib (15).**[, said peripheral lateral wall (21) of the lid (20) having an upper section incorporating an external peripheral flange (23) which is seated on the circumferential rib (15) upon fitting the latter in the circumferential cradle (22) of the lid (20), which is maintained in the closing condition of the opening (13).]**

7. The can as set forth in claim 6, characterized in that the peripheral lateral wall (21) of the lid (20) has an upper section incorporating an external peripheral flange (23) which is seated on the circumferential rib (15) upon fitting the latter in the circumferential cradle (22) of the lid (20), which is maintained in the closing condition of the opening (13).

[7.] 8. The can as set forth in claim [6] 7, characterized in that the external peripheral flange (23) is continuous and seated on an adjacent portion of the annular upper wall (12) of the can, when the lid (20) is closed.

[8.] 9. The can as set forth in claim [6] 7, characterized in that the external peripheral flange (23) incorporates small radial extensions (23a) angularly spaced from each other and which are configured to seat on the annular upper wall (12) of the can, when the lid (20) is closed.

[9.] 10. The can as set forth in claim [8] 9, characterized in that the external peripheral flange (23) incorporates two diametrically opposite radial bridges (27) connecting and articulating, to said external peripheral flange (23), the ends of a pair of opposite semicircular gripping handles (28), slightly and radially spaced from the peripheral flange (23) and which are medianly incorporated, through breakable radial connections (23b), to the small radial extensions (23a) of the external peripheral flange (23), said gripping handles (28) being medianly and angularly displaced from an inoperative position, substantially coplanar to the small radial extensions (23a) and incorporated thereto until the first opening of the lid (20), and a raised operative position after the rupture of the breakable radial connections (23b).

[10.] 11. The can as set forth in claim 1, characterized in that the lid (20) comprises a basic annular wall (24), from whose external edge is upwardly projected the peripheral lateral wall (21), which is internally incorporated to an upwardly displaced central tubular drawn portion (25).

[11.] 12. The can as set forth in claim 1, characterized in that the lid (20) is made of any one

of the materials defined by plastic, metal, and compositions thereof.

[12.] 13. The can as set forth in any one of the previous claims, **[said can presenting the external edge (12a) of its annular upper wall (12) double seamed to an upper edge (11a) of the peripheral lateral wall (11) of the tubular body (10)]**, characterized in that the annular lower wall (12) has its height limited by a plane containing the upper edge (11a) of the peripheral lateral wall (11) of the tubular body (10).

CLAIMS

1. A can for bulk products, comprising: a tubular body (10) in metallic sheet, having at least one peripheral lateral wall (11) and one annular upper wall (12) presenting an external edge (12a) affixed to the peripheral lateral wall (11), an internal face (12b) turned to the interior of the tubular body (10) and an internal edge (12c) defining an opening (13); said can presenting the external edge (12a) of its annular upper wall (12) double seamed to an upper edge (11a) of the peripheral lateral wall (11) of the tubular body (10) and a lid (20) to be removably fitted and retained in the opening (13) of the can, in order to close it, characterized in that the annular upper wall (12) has any point of its internal face (12b) disposed at a height, measured in the interior of the tubular body (10), at minimum equal to the height of another point of said internal face (12b) disposed in a radially external manner, aligned and adjacent in relation to said point.

2. The can as set forth in claim 1, characterized in that the points of the internal face (12b) of the annular upper wall (12), disposed according to the same circumferential alignment concentric to the axis of the tubular body (10), are contained in a plane orthogonal to said axis.

3. The can as set forth in claim 2, characterized in that, along at least one portion of the radial extension of the annular upper wall (12), the internal face (12b) of the latter presents a height which progressively and continuously increases toward the opening (13).

4. The can as set forth in claim 3, characterized in that the internal face (12b) of the annular upper wall (12) presents the external radial extension portion

(12d), adjacent to the peripheral lateral wall (11) of the tubular body (10), disposed in a plane orthogonal to the axis of the tubular body (10).

5. The can as set forth in claim 3, characterized in that the internal face (12b) of the annular upper wall (12) presents an internal radial extension portion (12e) adjacent to the opening (13) disposed in a plane orthogonal to the axis of the tubular body (10).

6. The can as set forth in claim 1, characterized in that the internal edge (12c) of the annular upper wall (12) is upwardly and radially outwardly bent, in order to form a circumferential rib (15) with the cross section defined by at least one portion of an arc of a circle with the center in a plane (P) orthogonal to the axis of the tubular body (10) and medianly sectioned by said plane (P), said lid (20) having a peripheral lateral wall (21) externally provided with a circumferential cradle (22) presenting a cross section in the form of an arc of a circle and within which is fitted the portion in the form of an arc of a circle the circumferential rib (15).

7. The can as set forth in claim 6, characterized in that the peripheral lateral wall (21) of the lid (20) has an upper section incorporating an external peripheral flange (23) which is seated on the circumferential rib (15) upon fitting the latter in the circumferential cradle (22) of the lid (20), which is maintained in the closing condition of the opening (13).

8. The can as set forth in claim 7, characterized in that the external peripheral flange (23) is continuous and seated on an adjacent portion of the annular upper wall (12) of the can, when the lid (20) is closed.

9. The can as set forth in claim 7, characterized in that the external peripheral flange (23) incorporates

small radial extensions (23a) angularly spaced from each other and which are configured to seat on the annular upper wall (12) of the can, when the lid (20) is closed.

10. The can as set forth in claim 9, characterized in that the external peripheral flange (23) incorporates two diametrically opposite radial bridges (27) connecting and articulating, to said external peripheral flange (23), the ends of a pair of opposite semicircular gripping handles (28), slightly and radially spaced from the peripheral flange (23) and which are medianly incorporated, through breakable radial connections (23b), to the small radial extensions (23a) of the external peripheral flange (23), said gripping handles (28) being medianly and angularly displaced from an inoperative position, substantially coplanar to the small radial extensions (23a) and incorporated thereto until the first opening of the lid (20), and a raised operative position after the rupture of the breakable radial connections (23b).

11. The can as set forth in claim 1, characterized in that the lid (20) comprises a basic annular wall (24), from whose external edge is upwardly projected the peripheral lateral wall (21), which is internally incorporated to an upwardly displaced central tubular drawn portion (25).

12. The can as set forth in claim 1, characterized in that the lid (20) is made of any one of the materials defined by plastic, metal, and compositions thereof.

13. The can as set forth in any one of the previous claims, characterized in that the annular lower wall (12) has its height limited by a plane containing the upper edge (11a) of the peripheral lateral wall (11) of the tubular body (10).